

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Point Arena Water Works, Inc. for an order authorizing a rate increase in rates subject to refund producing additional annual revenues of \$70,137 or 56.9% for the test year 2002.

Application 02-11-057

**ADMINISTRATIVE LAW JUDGE'S RULING  
DENYING MOTION TO COMPEL**

On April 8, 2003, the City of Point Arena (City) submitted a motion to compel discovery from Point Arena Water Works (PAWW). Pursuant to Rule 45(f) of the Commission's Rules of Practice and Procedure, any response to the motion is due 15 days after the filing of the motion.

As I noted at the prehearing conference, discovery disputes are likely to be time-consuming and counter-productive. Here, the issue of PAWW's tax returns appears to be highly contentious and will likely result in distracting all parties from the objectives of this proceeding.

Therefore, pursuant to Rule 45(h), I rule that:

1. PAWW need not supply copies of its tax returns but it must immediately supply all available records of any other kind regarding the AT&T transaction.
2. If, after review of the additional information presented by PAWW, the City continues to believe that that specific facts can only be found in the tax returns, then the City must present compelling evidence supporting this assertion.

3. All parties shall work cooperatively to resolve any further discovery efforts.

**IT IS RULED** that the City's motion is denied and that PAWW shall produce additional information as set out above.

Dated April 11, 2003, at San Francisco, California.

/s/ MARIBETH A. BUSHEY

Maribeth A. Bushey  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Motion to Compel on all parties of record in this proceeding or their attorneys of record.

Dated April 11, 2003, at San Francisco, California.

/s/ TERESITA C. GALLARDO  
Teresita C. Gallardo

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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